

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BORIS FUENTES, *et al.*,  
for himself and for others similarly  
situated,

Plaintiffs,

v.

THE ENVIRONMENTAL GROUP,  
INC., *et al.*,

Defendants.

Civil Action No. 8:13-3093-JFM

**PROPOSED**  
**IMPORTANT**  
**NOTICE**

TO: INDIVIDUALS WHO HAVE WORKED FOR THE COMPANY KNOWN  
AS “THE ENVIRONMENTAL GROUP” REMOVING ASBESTOS OR  
OTHER HAZARDOUS MATERIALS AFTER [three years prior to the date  
of the Court’s Order]  
RE: YOUR PARTICIPATION IN A LAWSUIT FOR UNPAID WAGES  
UNDER THE FAIR LABOR STANDARDS ACT

**A COURT HAS AUTHORIZED THIS NOTICE WHICH DESCRIBES  
LEGAL RIGHTS YOU MAY HAVE  
YOU ARE NOT BEING SUED OR ASKED TO PAY ANY MONEY**

**I. INTRODUCTION**

The purpose of this Notice is to tell you about a lawsuit in which former employees of The Environmental Group are seeking to recover overtime pay that they say they should have been paid but were not paid. The court has not decided whether The Environmental Group or any of the other Defendants have done anything wrong. If you wish to join this suit, you must complete and return the attached Consent to Join Suit to the address indicated below so that it is received by [60 days after notices are mailed].

## **II. BACKGROUND**

A lawsuit now pending in the United States District Court for the District of Maryland alleges that The Environmental Group illegally failed to pay overtime to individuals who worked for it removing asbestos or other hazardous materials when those individuals worked more than forty hours in a workweek. The Defendants in this lawsuit deny the allegations and say they have done nothing wrong.

## **III. YOUR PARTICIPATION IN THE LAWSUIT**

You may be entitled to participate in this lawsuit as a plaintiff if you worked removing asbestos or other hazardous materials for The Environmental Group at any time after \_\_\_\_\_, 2014 [date that is three years prior to date of order certifying class] and were not paid at the overtime rate for all hours worked in excess of forty hours in each workweek.

You are not automatically included as a plaintiff in the lawsuit. If you want to join, you must complete the enclosed “Consent to Join Lawsuit” form and return it to the address indicated so that it is received by no later than \_\_\_\_\_, 2014 [sixty days after notices are mailed].

Your continued right to participate in the lawsuit may depend upon a later decision by the Court that you and the Plaintiffs are “similarly situated.”

The longer you wait, the less your claim may be worth, as the statute of limitations may not continue to toll until your “Consent to Join Lawsuit” is filed with the Court.

## **IV. NO RETALIATION IS PERMITTED**

Federal law prohibits Defendants from firing you or taking any other adverse action against you because you have exercised your legal right to join this lawsuit.

## **V. YOUR RIGHT TO DECLINE PARTICIPATION IN THIS LAWSUIT**

If you do not want to join this lawsuit, do nothing. If you do not return the “Consent to Join Lawsuit” form on time, you will not be a party in this case and will be entitled to no recovery from this lawsuit. You may consult with your own attorney about what to do. A decision not to participate in the lawsuit will not affect your rights to pursue possible claims on an individual basis.

## **VI. EFFECT OF JOINING THIS LAWSUIT**

If you join this lawsuit:

(1) You will be represented in the case by the attorneys currently representing the Plaintiffs in this case, whose names are listed below (unless you hire your own attorney).

(2) You may be bound by any final disposition of the lawsuit, whether favorable or unfavorable.

(3) You may be required to answer questions or provide information about your employment by The Environmental Group.

## **VII. NOTICE OF THE ATTORNEYS IN THE CASE**

The following attorneys represent the Plaintiffs in this lawsuit:

Matthew B. Kaplan  
The Kaplan Law Firm  
509 N. Jefferson St.  
Arlington, VA 22205  
Telephone: (703) 665-9529  
Email:  
mbkaplan@thekaplanlawfirm.com

Matthew K. Handley  
The Washington Lawyers Committee  
for Civil Rights and Urban Affairs  
11 Dupont Circle, Suite 400  
Washington, DC 20036  
Phone: (202) 3190-1000  
Email: matthew\_handley@washlaw.org

If plaintiffs are successful, and if the Court approves, costs expended and fees incurred by the attorneys for the plaintiffs will be deducted from settlement or judgment first (which may reduce your recovery), or paid separately by Defendants. **If the case is not successful you will not have to pay anything to the attorneys for the Plaintiffs.**

## **VIII. MORE INFORMATION**

For more information please contact, in English or Spanish, Ms. Alicia Danze, Paralegal, The Washington Lawyers Committee for Civil Rights and Urban Affairs, at telephone number (202) 319-1000 or at email alicia\_danze@washlaw.org. You may also contact one of the attorneys in the case.